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**IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION**

GENTEX CORPORATION and INDIGO
 TECHNOLOGIES, LLC,

Plaintiffs,

THALES VISIONIX, INC.,

Involuntary Plaintiff,

v.

META PLATFORMS, INC. and META
 PLATFORMS TECHNOLOGIES, LLC,

Defendants.

Case No. 4:22-cv-03892-YGR

**STIPULATION AND [PROPOSED]
 ORDER TO STAY PENDING
 RESOLUTION OF INTER PARTES
 REVIEW**

Pursuant to Civil L.R. 7-12, plaintiffs Gentex Corporation and Indigo Technologies, LLC (collectively, “Plaintiffs” or “Gentex”), and defendants Meta Platforms, Inc. and Meta Platforms Technologies, LLC (collectively, “Defendants” or “Meta”) hereby stipulate and agree as follows:

WHEREAS on May 25, 2021, Gentex filed its Complaint against Meta alleging infringement of U.S. Patent Nos. 6,757,068 (the “’068 patent”), 6,922,632 (the “’632 patent”), 7,301,648 (the “’648 patent”), 7,725,253 (the “’253 patent”), and 8,224,024 (the “’024 patent”) (collectively, the “Asserted Patents”). Dkt No. 1.

WHEREAS, Meta challenged the validity of the Asserted Patents in *inter partes* review proceedings before the Patent Trial and Appeal Board (PTAB) in case nos. IPR2022-01294, IPR2022-01298, IPR2022-01301, IPR2022-01302, IPR2022-01303, IPR2022-01304, IPR2022-01305, and IPR2022-01308 (collectively, the “IPR Proceedings”).

WHEREAS, on March 14, 2023, the PTAB instituted *inter partes* review in six of the IPR Proceedings, and on or before March 27, 2023, the PTAB is expected to announce whether it will institute *inter partes* review in the remaining two IPR Proceedings shortly.

WHEREAS, pursuant to statute, the PTAB’s Final Written Decisions regarding validity are expected to issue no later than one year after the date of institution.

WHEREAS, for purposes of judicial economy and to avoid the unnecessary expenditure of resources, the parties¹ desire to stay the present litigation pending Final Written Decisions in all instituted IPR Proceedings.

WHEREAS, it is within the Court’s inherent authority and discretion to stay the present litigation, and the parties agree that it would be appropriate to do so in the present situation.

WHEREAS, the parties agree that, within seven days after the PTAB issues its last Final Written Decision in the IPR Proceedings, the parties shall file a joint status update advising the Court regarding the PTAB’s decisions.

WHEREAS, the parties reserve the right to later seek appropriate relief regarding whether this stay should be maintained, including through any requests for rehearing or any appeals.

¹ Involuntary plaintiff Thales Visionix, Inc. has indicated that it does not oppose the stay stipulated to herein by the voluntary parties.

WHEREAS, Meta timely filed a Motion for Leave to File an Amended Answer (Dkt. 129) before the original Court-ordered deadline to amend pleadings (Dkt. 116), and such motion is currently pending.

WHEREAS, Gentex agrees that, in the event that Meta's pending motion is deemed withdrawn in light of the stay and Meta re-files the same motion for leave to file the same amended answer previously filed at Dkt. 129 pursuant to an agreed-upon or Court-ordered schedule after the stay in these proceeding is lifted, Gentex will not challenge such motion as untimely or as subject to any heightened burden on the grounds that such motion would be filed after the original Court-ordered deadline at Dkt. 116.

NOW THEREFORE IT IS HEREBY STIPULATED by the parties through their respective counsel, subject to the approval of the Court, that:

1. The above-captioned action is hereby stayed until the PTAB issues its last Final Written Decision in the IPR Proceedings.
2. The parties shall file a joint status notice within seven days of such decision advising the Court whether a case management conference should be scheduled and/or other actions should be taken.
3. The pending Motion for Leave to File an Amended Answer (Dkt. 129) is deemed withdrawn without prejudice.

IT IS SO STIPULATED.

Dated: March 22, 2023

Respectfully submitted,

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SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this document has been obtained from the other signatory.

Dated: March 22, 2023

/s/ Joshua Glucoft

Joshua Glucoft

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated:

Honorable Yvonne Gonzalez Rogers

United States District Judge